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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.836 OF 1995

Bank of Baroda ...Plaintiff
V/s.
Verandah Fast Food & Anr. ...Defendants

Mr.Kunal Kothari, Advocate, i/b. N.S. Fadia, for the Plaintiff.

CORAM : ABHAY S. OKA, J.
DATE : 24TH OCTOBER, 2007.

P.C.:

1. By order dated 29th August, 2007, this Court directed that if the Writ of Summons is not served within a period of eight weeks from that day, the Suit will stand dismissed for non-prosecution without further reference to the Court.

2. Till today the Writ of Summons is not served. The learned Counsel for the plaintiff states that the Advocate on record for the plaintiff has sent a letter to the plaintiff which is returned unserved. He seeks time.

3. In view of the self operative order passed on 29th August, 2007, time cannot be granted. The Suit accordingly stands dismissed for non-prosecution.

[ABHAY S. OKA, J.]